

201609900

Wael Jaber

On November 30 2017, a woman alleged she placed five calls to the 77th Precinct, which was confirmed by her cellphone call logs. The first three calls were answered by Officer Jaber. During the first call, the woman became unsatisfied with Officer Jaber's assistance and requested to speak with a supervisor. Without explanation or response, Officer Jaber hung up. In the second call, the woman requested Officer Jaber's name and he again hung up without responding. During the third call, Officer Jaber spelled his name "W-I-N-G" (the spelling of his partner's name) and gave an incorrect shield number. When the woman stated she did not believe this information to be accurate, Officer Jaber stated that he could not provide his "full name" and hung up. When the woman called again, Sergeant Coulter picked up and the woman explained her interaction with Officer Jaber. Sergeant Coulter explained that English was not Officer Jaber's first language, provided information about the CCRB and offered to take the woman's complaint over the phone. The woman decided to file her CCRB complaint online. Sergeant Coulter subsequently made an entry in the Command Log detailing the incident, noting the exact time and naming both the civilian caller and Officer Jaber.

Before the CCRB, Officer Jaber denied having spoken with any civilian on the phone or with Sergeant Coulter about the complaint. He also denied having spelled his name "W-I-N-G," but acknowledged that this was his partner's name. The CCRB found that Sergeant Coulter's statements and her contemporaneous Command Log entry corroborated the woman's testimony, undermining Officer Jaber's false statements.

The CCRB sustained the civilian caller's allegations that Officer Jaber abused his authority and was discourteous. It also found that he lied in his CCRB interview when he stated he had no interaction with the person who called.

The NYPD disciplined him for discourtesy and refusing to provide his name and shield number by imposing a 30-day suspension, a loss of 15 vacation days, and one month of probation, likely higher than it otherwise would have been because during the investigation, Sergeant Jaber made the news when he failed to get out of his car while responding to a domestic violence call during which a woman was murdered. See <https://www.nydailynews.com/new-york/nyc-crime/ny-police-response-strangled-woman-brooklyn-20210208-fpvnvw7ifrc2pjhst2oipr5rrm-story.html>.

Although other officers who refused to take civilian complaints and lied about it were not punished for lying, PO Jaber was disciplined with a loss of vacation days, a thirty-day suspension, and a year's dismissal probation. The discipline issued for lying about refusing to take a civilian complaint was issued after the news coverage of PO Jaber failing to get out of the car had been published.

Officer Jaber remains on the police force.

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Christopher Anderson	Team: Squad #2	CCRB Case #: 201609900	<input type="checkbox"/> Force	<input checked="" type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Wednesday, 11/30/2016 8:07 PM	Location of Incident: [REDACTED]	Precinct: 77	18 Mo. SOL 5/30/2018	EO SOL 5/30/2018	
Date/Time CV Reported Thu, 12/01/2016 5:35 AM	CV Reported At: CCRB	How CV Reported: On-line website	Date/Time Received at CCRB Thu, 12/01/2016 5:35 AM		

Complainant/Victim	Type	Home Address
[REDACTED]	[REDACTED]	[REDACTED]

Subject Officer(s)	Shield	TaxID	Command
1. POM Wael Jaber	15049	§ 87(2)(b)	077 PCT

Witness Officer(s)	Shield No	Tax No	Cmd Name
1. SGT Stacey Coulter	01483	§ 87(2)(b)	077 PCT

Officer(s)	Allegation	Investigator Recommendation
A . POM Wael Jaber	Discourtesy: Police Officer Wael Jaber acted discourteously toward § 87(2)(b).	A . § 87(2)(g)
B . POM Wael Jaber	Abuse of Authority: Police Officer Wael Jaber refused to provide his name and shield number to § 87(2)(b).	B . § 87(2)(g)
C . POM Wael Jaber	Other: There is evidence suggesting Police Officer Wael Jaber provided a false official statement in violation of Patrol Guide Section 203-08.	C . § 87(2)(g)

Case Summary

On December 1, 2016, § 87(2)(b) filed this complaint on the CCRB website.

On November 30, 2016, at 8:07 p.m., § 87(2)(b) called the 77th Precinct stationhouse to request information about how to gain access to the personal effects and residence of her brother-in-law, § 87(2)(b), who had died in July 2016. Police Officer Wael Jaber of the 77th Precinct answered the phone, announcing himself as what § 87(2)(b) thought to be “Officer Java.” § 87(2)(b) dissatisfied with Police Officer Jaber’s replies, requested to speak with a supervisor and was denied. When she reiterated her desire to speak with a supervisor, Police Officer Jaber, without warning, disengaged the call (**Allegation A**).

§ 87(2)(b) immediately called the 77th Precinct stationhouse again, and Police Officer Jaber answered. § 87(2)(b) requested Police Officer Jaber’s name and shield number. Police Officer Jaber, without warning, hung up the phone (within **Allegation A** and **Allegation B**). § 87(2)(b) immediately called the 77th Precinct stationhouse a third time, and Police Officer Jaber answered. When § 87(2)(b) asked for the spelling of his name and his shield number, Police Officer Jaber spelled his name “W-I-N-G” and provided his shield number as “2400” (within **Allegation B**). § 87(2)(b) replied that she did not believe the provided information was accurate and, again, without warning, Police Officer Jaber hung up the phone (within **Allegation A**).

§ 87(2)(b) called the 77th Precinct stationhouse again and was transferred to Sergeant Stacey Coulter of the 77th Precinct, who listened to her complaint about Police Officer Jaber. Sergeant Coulter provided § 87(2)(b) with details on how to file her complaint with the CCRB. § 87(2)(b) was not arrested or issued any summonses as a result of this incident.

There is no video footage in this case.

Mediation, Civil and Criminal Histories

- § 87(2)(b) was offered mediation, but she rejected § 87(2)(b)
- § 87(2)(b) has no prior criminal convictions (Board Review 01).
- As of January 5, 2017, § 87(2)(b) has not filed a Notice of Claim with the City of New York (Board Review 06).

Civilian and Officer CCRB Histories

- This is § 87(2)(b)’s first CCRB complaint (Board Review 02).
- Police Officer Jaber has been a member of the NYPD for 10 years and has a total of seven allegations against him in five complaints, with no substantiated allegations or other misconduct noted. § 87(2)(g)

Findings and Recommendations

Explanation of Subject Officer Identification

Though Police Officer Jaber categorically denied his involvement in this incident, testimony from Sergeant Coulter, coupled with her Command Log entry (Board Review 03), corroborate § 87(2)(b)’s version of events and specifically identify Police Officer Jaber as the officer who interacted with her.

Allegation A –Discourtesy: Police Officer Wael Jaber acted discourteously toward § 87(2)(b)

Allegation B –Abuse of Authority: Police Officer Wael Jaber refused to provide his name and shield number to § 87(2)(b)

§ 87(2)(b) provided a telephone statement to the CCRB on December 5, 2016, (Board Review 04) and was interviewed at the CCRB on December 9, 2016. Sergeant Coulter was interviewed at the CCRB on December 19, 2016. Police Officer Jaber was interviewed at the CCRB on December 30, 2016.

§ 87(2)(b) alleged that she placed five calls to the 77th Precinct stationhouse at phone number (718) 735-0611 at 8:07 p.m., 8:13 p.m., 8:14 p.m., 8:16 p.m., and 8:25 p.m. on November 30, 2016. This number was confirmed by the investigation as being assigned to the 77th Precinct stationhouse (Board Review 07), and § 87(2)(b)'s calls, call times, and call durations are confirmed by her cell phone call log (Board Review 05). The first three calls were answered by the same officer, Police Officer Jaber, whose name, which he provided upon answering the phone, § 87(2)(b) heard as “Officer Java.” In the initial call (8:07 p.m.; duration of 6 minutes and 33 seconds), § 87(2)(b) explained that § 87(2)(b) died in July and, having recently learned this, she wanted to know how to access his “personal effects” and residence. After not finding satisfaction with Police Officer Jaber’s replies, § 87(2)(b) requested a supervisor, after which Police Officer Jaber disconnected the call without reply or informing her that he would do so.

In the second call (8:13 p.m.; duration of 11 seconds), § 87(2)(b) requested Police Officer Jaber’s name. He did not reply and again disengaged the call. § 87(2)(b) called a third time (8:14 p.m.; duration of 1 minute and 44 seconds) and spoke again with Police Officer Jaber. When she asked Police Officer Jaber again for his name and shield number, he spelled his name “W-I-N-G” and provided his shield number as “2400” (Police Officer Jaber’s actual shield number is 15049). When § 87(2)(b) told Police Officer Jaber that she did not believe this to be accurate, Police Officer Jaber stated that he could not provide his “full name” and again disengaged the call.

When § 87(2)(b) called the final time at 8:25 p.m. and spoke with Sergeant Coulter, § 87(2)(b) explained her interaction with Police Officer Jaber to Sergeant Coulter. Sergeant Coulter informed § 87(2)(b) that English was not Police Officer Jaber’s first language, provided information about the CCRB, and offered to take her complaint over the phone. § 87(2)(b) decided to file her complaint on the CCRB website because she heard a lot of background noise and did not want to take up more of Sergeant Coulter’s time.

During her CCRB interview, Sergeant Coulter corroborated various elements of § 87(2)(b)'s testimony, including § 87(2)(b) having spoken to Police Officer Jaber, the timeline of § 87(2)(b) death and the reporting of it, the use of the term “personal effects,” the discussion of Police Officer Jaber’s understanding of English, and § 87(2)(b)'s decision to file her complaint with the CCRB because of the busy stationhouse setting.

Sergeant Coulter testified that after she had taken over as the desk sergeant at the 77th Precinct stationhouse, Police Officer Jaber was also present at the desk, specifically at the telephone switchboard computer and phone. She stated that Police Officer Jaber had been initially assigned to patrol but had, at the time of this incident, returned to the stationhouse to process an arrest. After speaking with § 87(2)(b), Sergeant Coulter spoke with Police Officer Jaber, who seemed “confused” about the timeline of § 87(2)(b) death. She subsequently made an

entry in the Command Log at 8:35 p.m. detailing the incident and specifically naming both § 87(2)(b) and Police Officer Jaber.

Police Officer Jaber testified that after being on patrol with partner Police Officer Winghong Lau, he returned to the stationhouse to process an arrest, which is confirmed in his memo book (Board Review 08). He testified that for the remainder of his tour, which ended at 8:40 p.m., this was all he did, “nothing more, nothing less.” Police Officer Jaber denied that he answered any of the phones inside the stationhouse at any point on the incident date and denied that he spoke with any civilians over the phone. When presented with § 87(2)(b)'s allegation that she spoke with Sergeant Coulter and the possibility that Sergeant Coulter then spoke with Police Officer Jaber, Police Officer Jaber said, “I haven’t spoken to § 87(2)(b)” and “I haven’t spoken to Sergeant Coulter about it, period.”

When asked if § 87(2)(b)'s allegation that she asked for information on how to gain access to her brother-in-law’s “personal effects” and residence and that Police Officer Jaber hung up the phone refreshed his recollection of the incident, Police Officer Jaber denied that it do so. When presented with § 87(2)(b)'s allegation that Police Officer Jaber spelled his name “W-I-N-G,” Police Officer Jaber denied doing so. When asked if this spelling was familiar to him, Police Officer Jaber denied that it was. When then asked if he knew his partner’s first name, Police Officer Jaber replied that his partner’s first name was “Wing.” When asked if he ever provided his name to a civilian as “Wing,” Police Officer Jaber denied doing so.

Because of the consistencies between the testimonies of § 87(2)(b) and Sergeant Coulter and Sergeant Coulter’s Command Log entry, the investigation credits both of their statements that the alleged conversations between § 87(2)(b) and Police Officer Jaber and between Sergeant Coulter and Police Officer Jaber occurred. Police Officer Jaber neither denied having a firm recollection of the incident nor provided an alternate interpretation of events. Instead, he denied having any involvement whatsoever in an incident § 87(2)(g)

Furthermore, for § 87(2)(b) to provide the precise spelling of the shorthand version of the first name of Police Officer Jaber’s partner, Police Officer Lau, who Police Officer Jaber confirmed was not present at the time of the incident, is unlikely as a matter of coincidence. While Police Officer Jaber denied having familiarity with the spelling, when questioned about his partner’s first name, he provided the name “Wing.” § 87(2)(g)

§ 87(2)(g)

Allegation C –Other: There is evidence suggesting Police Officer Wael Jaber provided a false official statement in violation of Patrol Guide Section 203-08.

As discussed above, § 87(2)(b) made multiple calls, recorded in her call log, to the 77th Precinct and repeatedly spoke with Police Officer Jaber. Sergeant Coulter, who later spoke with § 87(2)(b) recounted minute details of their conversation in her CCRB interview and confirmed Police Officer Jaber’s physical location and the duties he performed around the time of the incident. Further, she stated that she spoke with Police Officer Jaber regarding the complaint and made a Command Log entry about the incident. In vehemently denying the existence of both of these interactions, Police Officer Jaber testified, “I haven’t spoken to § 87(2)(b) and I haven’t spoken to Sergeant Coulter about it, period.”

Intentionally making a false official statement is prohibited, including during an interview conducted pursuant to a CCRB investigation or in an official document or report, such as a memo book. Patrol Guide Section 203-08 (Board Review 09).

§ 87(2)(g)

Squad: 2

Investigator: _____
Signature Print Date

Squad Leader: _____
Title/Signature Print Date

Reviewer: _____
Title/Signature Print Date



Eric Gonzalez
District Attorney

DISTRICT ATTORNEY
KINGS COUNTY
350 JAY STREET
BROOKLYN, NY 11201-2908
(718) 250-2000
WWW.BROOKLYNDA.ORG

[INSERT NAME]
Assistant District Attorney

[INSERT DATE]

[INSERT D/C INFO]

Re: [INSERT CASE NAME]
Kings County Dkt./Ind. No. [#####]

In connection with the above-named case, the People voluntarily provide the following information regarding:

MOS NAME: Wael Jaber

MOS TAX: [REDACTED]

in satisfaction (to the extent applicable) of their constitutional, statutory, and ethical obligations. Further, the People reserve the right to move in limine to preclude reference to this information, or otherwise to object to its use and/or introduction into evidence.

Disclosure # 1:

NYPD SUBSTANTIATED THE FOLLOWING ALLEGATION AGAINST THE MOS ARISING OUT OF AN INCIDENT ON 03/11/2016:

1. MEMOBOOK INCOMPLETE/ IMPROPER
- CASE STATUS: CLOSED ON 04/18/2016
PENALTY: SCHEDULE A COMMAND DISCIPLINE

Disclosure # 2:

MOS JABER PLEAD GUILTY TO THE FOLLOWING DEPARTMENTAL CHARGES AND SPECIFICATIONS DATED 12/27/2017 IN KINGS COUNTY, WHILE THE MOS WAS ASSIGNED TO THE 77TH PRECINCT AND ON DUTY:

1. MOS JABER DID FAIL AND NEGLECT TO PERFORM SAID MOS'S DUTIES, TO WIT: SAID MOS FAILED TO TAKE POLICE ACTION AND PROPERLY INVESTIGATE A RADIO RUN.
- ACTION TAKEN: SEE DISCLOSURE # 3

Disclosure # 3:

MOS JABER PLEAD GUILTY TO THE FOLLOWING DEPARTMENTAL CHARGES AND SPECIFICATIONS, WHILE THE MOS WAS ASSIGNED TO THE 77TH PRECINCT AND ON DUTY:

1. ON 11/30/2016 AT APPROXIMATELY 2007 HOURS AT THE 77TH PRECINCT STATIONHOUSE, KINGS COUNTY, MOS JABER WAS DISCOURTEOUS TO AN INDIVIDUAL KNOWN TO THE DEPARTMENT IN THAT ON THREE (3) OCCASIONS, AND WITHOUT WARNING, SAID POLICE OFFICER HUNG UP THE TELEPHONE ON SAID INDIVIDUAL.
2. ON 11/30/2016 AT APPROXIMATELY 2007 HOURS AT THE 77TH PRECINCT STATIONHOUSE, KINGS COUNTY, MOS JABER DID REFUSE TO PROVIDE HIS NAME AND SHIELD NUMBER TO AN INDIVIDUAL KNOWN TO THE DEPARTMENT.
3. ON 12/30/2016 IN NEW YORK COUNTY, MOS JABER DID WRONGFULLY MAKE MISLEADING AND INACCURATE STATEMENTS TO THE CIVILIAN COMPLAINT REVIEW BOARD, TO WIT: SAID MOS DID, IN SUM AND SUBSTANCE, DENY SPEAKING TO AN INDIVIDUAL KNOWN TO THE DEPARTMENT OVER THE

TELEPHONE ON 11/30/2016, AND DENY SPEAKING TO AN NYPD SERGEANT REGARDING HIS INTERACTIONS WITH SAID INDIVIDUAL KNOWN TO THE DEPARTMENT 11/30/2016.
ACTION TAKEN: DISMISSAL PROBATION, 30 PRE-TRIAL SUSPENSION DAYS, 15 VACATION DAYS

BASED UPON CCRB DOCUMENTS UP TO DATE THROUGH OCTOBER 13, 2020, THE PEOPLE ARE AWARE OF THE FOLLOWING CCRB SUBSTANTIATED AND/OR PENDING ALLEGATIONS AGAINST THIS OFFICER:

Disclosure # 4:

CCRB CASE: 201609900

REPORT DATE: 12/01/2016

INCIDENT DATE: 11/30/2016

CCRB SUBSTANTIATED ALLEGATION(S):

1. Abuse - Refusal to provide name/shield number
2. Discourtesy – Action

NYPD Disposition: Guilty - DCT Suspension days: 30 +, Vacation days: 15+, Probation months: 1

OTHER MISCONDUCT NOTED (NO CCRB JURISDICTION):

1. Other Misconduct Noted - False official statement

Eric Gonzalez
District Attorney
Kings County